

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF GEORGIA
MACON DIVISION

UNITED STATES OF AMERICA

VS.

WAYNE HENRY KAY,

Supervised Releasee

NO. 5: 08-MJ-06-01 (CWH)

**VIOLATION OF SUPERVISED RELEASE
No. 1:05-CR-247-01-ODE — N. D. GEORGIA**

BEFORE THE U. S. MAGISTRATE JUDGE

TO: UNITED STATES MARSHAL FOR THE MIDDLE DISTRICT OF GEORGIA

ORDER OF REMOVAL

A warrant having been issued in the **NORTHERN DISTRICT OF GEORGIA** for the arrest of Supervised Releasee **WAYNE HENRY KAY** in connection with the sentence of SUPERVISED RELEASE imposed upon him in that district on January 25, 2006, by the Honorable Orinda D. Evans, UNITED STATES DISTRICT JUDGE, and said supervised releasee having been arrested in the MIDDLE DISTRICT OF GEORGIA on allegations that he has violated his sentence of SUPERVISED RELEASE; at an appearance this day before Claude W. Hicks, Jr., UNITED STATES MAGISTRATE JUDGE for the Middle District of Georgia, pursuant to provisions of Rule 5(a)(2)(B) and Rule 32.1(a)(1)(B) and (a)(5)(B) of the *Federal Rules of Criminal Procedure*, Mr. Kay, who waived legal representation, was provided pertinent documentation and admitted his identity.

Under Rule 32.1(a)(6) and 18 U.S.C. §3143(a), the court finds that release of Mr. Kay from the custody of the United States Marshal is not appropriate under the circumstances of this case due to his status as a supervised releasee and behavior leading to the allegations now pending against him, to-wit, violation of a state drug offense. Conditions of release, if appropriate, may be considered by the judicial officer presiding in the **NORTHERN DISTRICT OF GEORGIA** upon the appearance of Mr. Kay in that district, the supervised releasee reserving his right to a Detention Hearing. Accordingly, YOU ARE HEREBY COMMANDED to TEMPORARILY DETAIN the said **WAYNE HENRY KAY**, REMOVE him at the earliest possible time to the **NORTHERN DISTRICT OF GEORGIA**, and there deliver him to the United States Marshal for that District or to such other officer authorized to receive him.

SO ORDERED, this 2nd day of JUNE, 2008.



A handwritten signature in blue ink, which appears to read "Claude W. Hicks, Jr.".

CLAUDE W. HICKS, JR.
UNITED STATES MAGISTRATE JUDGE